

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Nir Tal, et al

Filed:

January 26, 2001

Serial No.:

09/771,010

For:

**COMMUNICATION SYSTEM** 

WHICH DYNAMICALLY SWITCHES

SIZES OF SAMPLE BUFFER

BETWEEN FIRST SIZES FOR QUICK RESPONSE TIME AND SECOND SIZE FOR ROBUSTNESS TO INTERRUPT

LATENCY

Art Unit:

2782

Examiner:

Not Yet Assigned

RECEIVED

MAY 0 7 2001

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

DECLARATION BY INVENTOR, ZEEV COLLING
ON BEHALF OF INVENTORS
WHO REFUSE TO SIGN OR CANNOT BE REACHED PURSUANT TO 37 CFR 1.47(a)
(Reissue Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

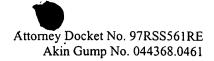
I believe I am an original, first and joint inventor of the subject matter which is claimed in **Patent No. 5,864,714**, granted January 26, 1999, and for which a reissue patent is sought on the invention entitled:

# COMMUNICATION SYSTEM WHICH DYNAMICALLY SWITCHES SIZES OF SAMPLE BUFFER BETWEEN FIRST SIZE FOR QUICK RESPONSE TIME AND SECOND SIZE FOR ROBUSTNESS TO INTERRUPT LATENCY

the specification of which was filed on April 16, 1996 as U.S. patent application No. 08/632,931.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

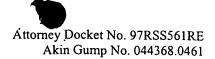
I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.



I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## **FOREIGN PRIORITY APPLICATION(S)**

FOREIGN FRIORITI ATTEICATION(S)										
None		Priority Claimed  [ ] Yes[ ] No								
(Number)	(Country)	(Day/month/year filed)								
reason of the one excess or	patentee claiming more or less than he	olly or partially inoperative or invalid, by had the right to claim in the patent. At least volves unduly narrow reference the balance								
		sue application up to the time of filing this n my part or on the part of the applicant.								
		referenced patent application and hereby love Blossom, Irvine, CA 92604 USA.								
Conexant Sys	tems, Inc., 4311 Jamboree Road, New	patent application and am authorized by port Beach, CA 92660-3095, to sign this named inventor who cannot be found or								
	Inventor (omitted inventor):  Israeli	Inventor: Ron Cohen								
•	Address of Omitted Inventor:	4 Radak Street; Ramat Hasharon 47208 Israel								
required to sta	ate. Accompanying this declaration to tion is necessary to preserve the rights	acts which the non-signing inventor is establish proof of pertinent facts and to of the parties or to prevent irreparable								
1. Inventors;	Declaration by Sharley Torri of Fac	ets in Support of Filing on Behalf of Omitted								
2.	Petition; and									
3.	Petition fee in the amount set for the	ne in § 1.17(h).								



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Third Named Inventor** 

Date: April 12, 2001

Name: Zeev Collin-

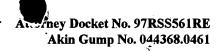
Residence: Irvine, CA

Citizenship Israeli

Post Office Address: 5 Clove Blossom;

Irvine, CA 92604

Express Mail No. EL7047257, 2US



# (3)

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INTERRUPT LATENCY

Examiner:

Not Yet Assigned

# DECLARATION BY SHARLEY TORRIGOF FACTS IN SUPPORT OF FILING ON BEHALF OF INVENTORS WHO REFUSE TO SIGN OR CANNOT BE REACHED PURSUANT TO 37 CFR 1.47(a) (Reissue Application)

§ §

This declaration is made as to the exact facts which are relied upon to establish the diligent effort made to secure the execution of the Declaration and Power of Attorney by the inventors who have refused to sign or cannot be reached for the above-referenced patent application before deposit thereof in the Patent and Trademark Office.

This declaration is being made by the available person having first-hand knowledge of the facts recited herein:

Sharley Torri Conexant Systems, Inc. 4311 Jamboree Road Newport Beach, CA 92660

### Identification of Person Making this Declaration of Facts

This Declaration is being made by Sharley Torri, residing at 1 Coronado Cay Lane, Aliso Viejo, CA 92660. I am presently a legal assistant with Conexant Systems, Inc., in Newport Beach, CA. In relation to the above-referenced patent application, I do hereby declare:



- 1) I have been directly involved with efforts to secure formal paperwork, including a Declaration, executed by Ron Cohen, one of the joint inventors for the above-referenced patent application.
- I contacted Ms. Eti De-Leon at our Human Resources international office to request assistance in locating Mr. Cohen at his last known address and to secure a copy of his employment agreement. I was informed that Mr. Cohen was never a Rockwell/Conexant employee he was the owner of the company that Rockwell (now Conexant) acquired people from, therefore there would be no employment agreement on file. I was also give Mr. Cohen's last known address. See Exhibit A attached hereto.
- 3) At least one bonafide attempt was made to present a copy of the application papers (specification, including claims, drawings and declaration) to the omitted inventor for signature mailed on March 27, 2001 via Federal Express (Fed Ex Tracking No. 817224966204). A copy of the Federal Express Receipt is attached hereto as <a href="Exhibit B">Exhibit B</a>. The package was returned by Federal Express as undeliverable. Mr. Cohen was no longer at that address and to date, we have not received a response from Mr. Cohen. The last known address for Mr. Ron Cohen is 4 Radak Street, Ramat Hasharon 47208 ISRAEL.
- 4) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: April // , 2001

Sharley Torri

Title: Legal Assistant

Residence:

1 Coronado Cay Lane

Aliso Viejo, CA 92660

Citizenship:

USA

Post Office Address:

Same

**IP Legal Assistant** Conexant Systems, Inc. 4311 Jamboree Road Department 927, E08 803 Newport Beach, California 92660 949-483-3204 (tel) 949-483-3206 (fax)

e-mail: sharley.torri@conexant.com

----- Forwarded by Sharley D Torri/USA/Conexant on 03/29/01 10:31 AM -----



Eti De-Leon

To: Sharley D Torri/USA/Conexant@CNXT

03/28/01 12:06 AM

CC: bcc:

Subject: Request for Assistance

Hello Sharley:

Ron Cohen was never a Rockwell/Conexant employee - he was the owner of the company that Rockwell at the time acquired people from him... still I can approach to him because he is sitting in offices across our offices. His Tel: 972-9-9566656

As for Nir Tal: long ago since he left the company... his telephone no is: 972-52-683294

Let me know if you need any farther assistance. Eti

Eti De-Leon

Mindspeed Technologies Israel LTD **Human Resources Manager** 11 Galgaley Haplada st. Herzelia

Phone: 972-9-9615101 Fax: 972-9-9615188 972-54-307477 Cel:

---- Forwarded by Eti De-Leon/Intl/Conexant on 28/03/01 09:06 -----



**Sharley D Torri** 

To: Ruth Hilmer/Intl/Conexant@CNXT

03/27/01 07:41 PM

Subject: Request for Assistance

Hello Ruth. It has been quite awhile since we corresponded. But, here I am again with a request for assistance.

Two gentlemen left the facility in Israel and we need their signatures on a Declaration for a patent application. If you have a last-known address/location for these gentlemen, that would be helpful. If not, we will need a copy of their Employment Agreements that can be filed with the Patent and Trademark Office to prove that they were employees during the prosecution of this application.

The two gentlemen are Ron Cohen and Nir Tal.

Any assistance you can provide would be much appreciated.

Best regards, Sharley Torri



IP Legal Assistant
Conexant Systems, Inc.
949-483-3204 (tel)
949-483-3206 (fax)
e-mail: sharley.torri@conexant.com

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ECEX. International Air Waybill	Date 3/27/01 Service FedEr 0900-5138-5	Name Sharley Torri Phone 949 463-4600	CONEXANT SYSTEMS INC	Address Dept. 927, EO8 803	HELL JAMBOREE RD.	NEWPORT BEACH CA US 2PP TELED YOU INTERNAL Billing References	To Precipient's Ron Cohen Phone	Сотрату	Audress AXRAKAKKKKKKKKKK 4 Radak Street	Ciry Ramat Hasharon State	Country [Srae] 21P Pasial Code 47208 Recipients Tax 1.0. runher for Customs purposes	Shipment Information The Disk technologochae of All shipment can be select to Charge Charges Treat The Disk technology of the Charges Treat The Disk technology of the Charge Charges Treat The Disk technology of the Charge Char	Printed document USA \$1	LE Expel Only Clark Drus  No. SER method; clark of the State of the St	Tables 28 to their profession is one to and can dead to the can dead before the can dead before the cash in the ca	ALIDIT
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